



MEETING MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
And Third Tuesday of each month

County Courthouse (pending determination of damage, from the fire of 1/8/2007,
at this site which may change the location to the Memorial Hall)

REGULAR MEETING

Bridgeport, California 93517

January 16, 2007

NOTE: In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5534. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Board of Supervisors in Bridgeport, California and in the County Offices located in Minaret Mall, 2nd Floor, Mammoth Lakes, California. **ON THE WEB:** You can view the upcoming agenda at www.monocounty.ca.gov. If you would like to receive an automatic copy of this agenda by email, please send your requests to crobles@mono.ca.gov.

9:00 a.m.

Meeting Called to Order by Chairman Hazard.

Board Members Present: Supervisor Bauer, Farnetti, Hazard, Hunt and Reid.

Pledge of Allegiance led by Supervisor Reid.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD on items of interest of the public that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

No one spoke.

DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Jim Lovett, Mono County Assessor addressed the Board: Appraiser, Mr. Hanson, will have the County Audit completed by the end of this month and will have a list of additional or backup items he will need. His estimate for the appraisal completion is mid summer. Hanson's contract is around \$50,000 with \$2,500 being paid to date. Escaped assessment can only go back four years.

Sheriff Rick Scholl addressed the Board: Reverse 911 communications, we need to manage calls due to the increased number of calls received. We are trying to improve our services.

Sgt. Dave O'Hara addressed the Board: Verizon will supply a telephone list in order to update listings for 'Code Red'. We will also have a link on our website so cell phones and other phone numbers can be added. I would like a list of county employee contact numbers to add to our data base for use if the need arises.

Mike Booher, Bridgeport Fire Chief, addressed the Board: Structure fires like the recent Courthouse building fire, you need to know before the fire reaches the roof to be able to save and contain. Newly installed fire alarm in the Courthouse building worked efficiently. We have chalked out a tentative fire plan for each building in Bridgeport. The Mutual Aid System was great and all of our neighbors supplied resources to help containment. Probable cause is the wall heater in the Law Library. The fires has been called electrical-non determined.

Kelly Garcia, Assistant Director of Public Works, addressed the Board: More on the Courthouse,

the clean up crews arrived last Thursday. Seating in Board Room had some damage and the Law Library books were smoke damaged. We are looking at replacing the damaged books and if it is necessary due to most books are now offered electronically. Carpet has been removed from the corridor and court room. Insurance company will replace the carpet with a light quality. Other carpet estimates will be given in three quality based bids. \$85,000 previously estimated to re-carpet the whole Courthouse. Possibly 40% can be covered by the insurance.

Rudolph: Kelly and I need to meet together and go over the legalities.

Hazard: If we need a special Board meeting to move this forward rapidly ,we need to do it.

Garcia: The estimated fire damage cost is \$200,000.

M07-28 URGENCY ITEM

Supervisor Reid: Vineca Hess, Bridgeport Librarian, is retiring and we need to recognize her contribution.

ACTION: The Board of Supervisors determine that there is a need to take immediate action with respect to the proposed agenda item, that the need for action came to the County's attention subsequent to the agenda being posted, and, therefore, that the Board add the item to the agenda.

(Bauer/Hunt 5-0)

M07-12

Board approved a Fancy Resolution for Vineca Hess and have Acting Clerk of the Board present the finished Resolution later in the afternoon for the Board's signatures.

(Reid/Farnetti 5-0)

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report re Board Assignments
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.
No report due to illness/absence of Dave Wilbrecht.

- 2) **APPROVAL OF MINUTES:**
M07-13 Regular Meeting of January 3, 2007
(Farnetti/Reid 5-0)

CLOSED SESSION

- 3) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.** Government Code § 54956.9 (a). Name of Case: *Edward G. Lanpher and June M. Kronholz vs. County of Mono.*
- 4) **CONFERENCE WITH LABOR NEGOTIATORS.** Government Code section 54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, Robert Garret, Brian Muir, and Richard C. Scholl. Employee Organization: Mono County Sheriff Department's Management Association.

REGULAR AGENDA

COMMUNITY DEVELOPMENT – COMPLIANCE DIVISION

R07-07

Crowley Lake
Drive Public
Nuisance

Hearing to Determine existence of a public nuisance on APN 60-180-05, Crowley Lake Drive (**Nick Criss**)

RECOMMENDED ACTION: In conformance with section 7.20.080 of the Mono County Code: (1) Conduct a hearing to determine whether a public nuisance exists on Assessor's Parcel Number 60-180-05 in the community of Crowley Lake, as alleged in Board of Supervisors' Resolution R06-120; and (2) If the Board determines that a public nuisance exists at that location, consider the Report of the Code Enforcement Officer concerning the methods proposed to be used to abate that nuisance and the cost of the proposed abatement; then (3) Revise, modify, correct, or approve that Report as submitted; and (4) Adopt a Resolution confirming Code Compliance Officer's Report, as submitted, or as revised, modified, or corrected by the Board.

Fiscal Impact: The cost to abate the nuisance on APN 60-180-05 is estimated to be \$3,396.00 - if the property owner does not abate the conditions himself. The County's abatement costs may be assessed against the property owner and, ultimately, made a lien upon the property pursuant to the Mono County Code section 7.20.130.

Nick Criss addressed the Board @ 10:10 a.m.

Currently five vehicles on site, up from four. Material piles and lumber covered with tarps. Property is designated commercial – no special use permit for this property has been obtained. My staff report explains means of abatement. The County's cost for abatement would be approximately \$3,396.00. Bauer: Are two of the vehicles the registered vehicles? Criss: Mr. Pack has never responded to my communications. We only know that two vehicles are registered. Bauer: Would we ask that all five vehicles be removed? Yes, we would ask that all vehicles be removed. John Pack, owner of the property addressed the Board.

Public Hearing closed @ 10:17 a.m.

Mr. Pack submitted letter to Board Clerk to be recorded. Exhibit handed to Chairman Hazard.

Stacey Simon, Assistant County Counsel: Explained the 1983 Commercial Land Use Plan. Chairman Hazard requested that Mr. Pack read his letter to the Board. Stacey Simon: There have been many violations on this property, originally Mike Garcia, former Mono County Code Enforcement Officer, addressed this issue in 2000/2001 – there were a number of cars and materials at that time. Mr. Garcia issued an administrative citation only for the structure. Mr. Pack appealed this citation, this was not a nuisance citation. Appealed to the Planning Commission and then appealed to the Superior Court. We now need to look at the current public nuisance of vehicles as parking on commercial land.

Mr. Pack: Addressed the Board again. Hazard: There has been a long time effort by the Planning Commission and Code Compliance to settle this issue. The vehicles seem to be stored and are not apparently licensed nor insured. Reid: Stacey Simon answered many questions concerning structures and vehicles. Are you (Mr. Pack) ready to remedy this with a Special Use Permit? Mr. Pack: Yes, I would definitely do that. I would love to work it out. Scott Burns: We would work with the applicant and see what are your future plans. We need to put all this into the Special Use Permit. We would then have a public hearing. The fees are nonrefundable. Reid: What is the time frame for the application to be completed? Burns: Approximately two months. Simon: We don't even need a complaint to proceed. Simon: Possibly uphold the citation until issue is handled.

Hazard handed the gavel to Supervisor Bauer and made a motion to accept the resolution with an amendment of a 30-day pending an acceptable application for a Special Use Permit.

(Hazard/Farnetti 5-0)

ASSESSOR

- 6)** Transfer of base year value from an original SFR to a replacement property
9:40 a.m. (James Lovett)

RECOMMENDED ACTION: Informational only: Presentation regarding the transfer of the taxable base year value from an original owner occupied residence to a replacement residence for people over the age of 55 or any severely and permanently disabled person as provided for by Revenue and Taxation Code Section 69.5 (aka Proposition 60, 90, and 110). The presentation will include the transfer of a base year value within the County of Mono and the option to authorize transfer of base year value from another county.

Jim Lovett, Assessor, gave a power point presentation on the Revenue and Taxation Code: Transfer of Base-Year Value.

PUBLIC WORKS

- 7a)** Bid Opening – Ford Expedition Purchase for the Sheriff’s Department **(Evan Nikirk)**
RECOMMENDED ACTION: (1) Open, read aloud, and record sealed bids submitted in response to Public Works’ Invitation to Bid to furnish seven (7) Ford Expeditions for the Sheriff’s Department. (2) Refer bids to the Public Works Director for review and recommendation.

M07-14

Fiscal Impact: Estimated to be \$190,000 to \$200,000

Kelly Garcia addressed the Board: Seven bids submitted.

Pacific Ford \$171,500 del \$1,700

Downtown Ford- \$177,546.25 del \$750

Colorado \$193,000 del \$2,100

Clevenger Ford \$181,392.40 del \$1,050

Harold Ford \$191,422.46 del \$4,250

South Shore Motors \$190,721.72 del \$700

Birch Ford \$24,915/ea. del \$200

Motion to send bids with Kelly Garcia, Public Works, to return later with the bid award.

(Farnetti/Bauer 5-0)

- 7b)** Bid Opening – Ford F250 Pickup Trucks for the Public Works Dept. **(Evan Nikirk)**
RECOMMENDED ACTION: (1) Open, read aloud, and record sealed bids submitted in response to Public Works’ Invitation to Bid to furnish two 2008 Ford F250 4x4 pickup trucks for the Parks & Facilities Division of the Department of Public Works. (2) Refer bids to the Public Works Director for review and recommendation.

M07-15

Fiscal Impact: Estimated to be \$55,000

Pacific Ford \$57,870 del \$500

Eastern Sierra Motors \$60,806.46 del-0-

Downtown Ford \$59,326.76 del \$200

Harold Ford \$61,617.82 del \$700

South Shore Motors \$61,291.78 del \$200

Birch Ford \$28,497.00 ea. del \$300

Motion to send bids with Kelly Garcia, Public Works, to return later with the bid award.

(Hunt/Reid 5-0)

DEPARTMENT OF FINANCE

- 8a)** Presentation on Treasury Pool Investment Report **(Brian Muir)**
RECOMMENDED ACTION: Information only.
Brian Muir, Financial Director, addressed the Board.
- 8b)** Treasury Oversight Committee **(Brian Muir)**
Tape #2 3430 **RECOMMENDED ACTION:** Discuss and potentially eliminate the Treasury Oversight Committee.
M07-16 Fiscal Impact is potential savings of less than \$1,000 annually.
(Hunt/Farnetti 5-0)
- 8c)** County of Mono Credit Card Program **(Brian Muir)**
M07-17 **RECOMMENDED ACTION:** (1) Approve County credit card program policies and procedures. (2) Authorize the Director of Finance to request that Mono County be permitted to participate in the CAL-Card program.
Fiscal Impact is a savings of \$3,000 to \$5,000 per year.
Brian Muir addressed the Board: This program there will be no finance charges. Every department will get a statement. They will reimburse us if we pay early. We should have no reason to issue travel advances. Hazard: Could Special Districts be included? Yes, we could set this up.
(Hunt/Farnetti 5-0)

TREASURER / TAX COLLECTOR

- 9)** Transient Occupancy Tax Audit Findings **(Rosemary Glazier, Mark Magit)**
11:15 a.m. **RECOMMENDED ACTION:** Present Transient Occupancy Tax audit appeal on behalf of GRANT LAKE MARINA. Consider waiving penalties.
M07-18 Potential Fiscal Impact: \$1,050.21.
Mark Magit, Assistant County Counsel, addressed the Board: TOT audit in October 2006. \$3,256.48 – penalties of \$1,050.21; interest of \$1,325.42. Rose Glazier, Assistant Finance Officer T/TC, updated the Board on audit proceedings. We have gone through our three year educational cycle and we have been lenient in the past. This is Grant Lake Marina's first audit.
- Doug Smith, operator of Grant Lake Marina addressed the Board: We received one letter from the County regarding TOT in 2003. 2004/2005 no correspondence from County. 2005 we received an update and correspondence from the Tax Collector. 2006 we were audited. I certainly didn't know I was fraudulent. Magit: We do all share in the education. Letters were sent to all facilities in 2005 including the County Ordinance. Rent is defined in the Code; rent is charged even if not collected. 30 days or less shall be deemed a transient. Smith: I tried to educate myself the best I could. It is hard to keep current on the laws. I did not know some of these regulations. Smith: I am asking the Board to waive extra 'head charges' on dogs and extra people and the penalties. Magit: I do not agree that the extra head charge be waived. It is clear what rent is. There is no provision to waive the interest. Bauer: I know your audit was late in the season because you are only operating in the summer months. Glazier: We can offer a 12 month interest free plan. Hunt: Can the Tax Collector send another notice to operators in the near future? Yes, we will send another notice along with the County Code/Ordinance.

Motion: Willing to waive the penalty and begin a 6 month interest free payment plan starting May 30, 2007 for the amount of \$4,052.29.

(Bauer/Farnetti 5-0)

11:50 a.m. Recess

12:03 Reconvened

EMS & COMMUNITY DEVELOPMENT

10)

12:40 p.m.

M07-19

Fire Protection Review **(Mark Mikulicich, Scott Burns)**

RECOMMENDED ACTION: Conduct PowerPoint workshop regarding fire protection review for development projects outside existing fire protection districts and provide any desired direction to staff.

Power Point Presentation given by Scott Burns regarding 'Fire Protection and Prevention Planning'.

*Fire Planning Framework :California Fire Plan, Mono County General Plan Safety Element, Other Studies/Efforts

- 1) Direct Staff to define potential EMS role in development review process and other fire prevention/protection functions, including the use of consultants
- 2) Direct staff to coordinate revisions of the development review process with Mono County Fire Chiefs Association
- 3) Direct Staff to examine the potential of adopting fire standards/code specifically for areas outside fire protection districts
- 4) Direct CDD to propose adjustment to Safety Element clarifying fire protection plan requirements outside FPD

(Bauer/Hunt 5-0)

Recessed @ 1:10 p.m.

Reconvened @ 1:17 p.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD on items of interest of the public that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

No one spoke.

COUNTY COUNSEL

- 11a)**
M07-20
Agreement with Long Valley Fire Protection Dist.
- Hold Harmless Agreement **(Marshall Rudolph)**
RECOMMENDED ACTION: Consider and potentially authorize County entry into a hold harmless agreement between the County and the Long Valley Fire Protection District, and authorize/ratify the County Administrator's execution of said agreement on behalf of the County. Receive staff report. Provide any desired direction to staff. Fiscal Impact: None.
Marshall Rudolph and Mark Mickulicich addressed the Board.
(Farnetti/Hunt 5-0)
- Entered into Closed Session @ 1:28 p.m.
Closed Session Ended @ 2:40 p.m.
Regular Meeting reconvened @ 2:45 p.m.
No Reports from Closed Session
- 11b)**
Tape #3 1853
M07-21
- Proposed Legal Services Agreement **(Marshall Rudolph)**
RECOMMENDED ACTION: Consider and potentially approve County entry into proposed agreement regarding legal services to be provided by the Mono County Counsel's Office to the Lassen County Children and Families Commission. Receive staff report. Provide any desired direction to staff.
Fiscal Impact: Would generate additional revenue, estimated between \$300 and \$500.
Marshall Rudolph addressed the Board: We already have at least four other paying customers for this service. However, this is the first request from outside of Mono County.
(Reid/Hunt 5-0)
- 11c)**
M07-22
- Requested Reconveyance of Deed of Trust **(Marshall Rudolph)**
RECOMMENDED ACTION: Consider and potentially authorize the County Administrator, on behalf of the County, to cancel a promissory note in the amount of \$15,000 and execute a substitution of trustee and full reconveyance of a deed of trust held by the County with respect to APN 60-210-24, finding that the obligation secured by the note and deed of trust has been satisfied. Receive staff report. Provide any desired direction to staff.
Fiscal Impact: None.
(Farnetti/Bauer 5-0)

COUNTY ADMINISTRATIVE OFFICE/HUMAN RESOURCES

- 12)** Resolution Approving Employment Contract with Matt Carter (**Robert Garret**)
R07-08 **RECOMMENDED ACTION:** Consider and potentially adopt proposed Resolution
Matt Carter approving an employment agreement with Matt Carter and prescribing the compensation appointment, and conditions of said employment.
Fiscal Impact: Salary \$4,591/per month X 5.33 months = \$24,470 + 34% Benefits = \$8,320. Total Cost FY 2006-2007 = \$32,790.00 – This position is currently budgeted and funded in the FY 2006-2007 Budget.
Farnetti: Please put department affected on the Agenda.
(**Bauer/Hunt 5-0**)

PUBLIC WORKS

- 13a)** Bid Award- Ford Expedition Purchase for the Sheriff's Dept. (**Evan Nikirk**)
M07-23 **RECOMMENDED ACTION:** (1) Receive oral report from Public Works regarding the results and recommendation(s) of bids opened earlier in the meeting. (2) Award bid to Pacific Ford of Long Beach, CA, as lowest responsible bidder, in an amount not to exceed \$173,250.00 for the purchase and delivery of seven 2007 Ford Expeditions for the Sheriff's Department. (3) Authorize the Public Work Director to prepare, process, and execute applicable purchase documents with said dealership on behalf of Mono County. (4) Authorize the Public Works Director, in consultation with the County Administrative Officer, to process requests for surplus Sheriff's Department vehicles that become available as a result of this purchase and determine the re-assignment to County departments and/or sale to special districts. (5) Provide any desired direction to staff.
Fiscal Impact: Estimated to be \$190,000 to \$200,000.
Kelly Garcia addressed the Board:
Low bid: \$173,250 Pacific Ford of Long Beach, CA
(**Farnetti/Hunt 5-0**)
- 13b)** Bid Award- Ford F250 Pickup Trucks for the Public Works Dept. (**Evan Nikirk**)
M07-24 **RECOMMENDED ACTION:** (1) Receive oral report from Public Works regarding the results and recommendation(s) of bids opened earlier in the meeting. (2) Award bid to Burch Ford of La Habra, CA, as lowest responsible bidder, in an amount not to exceed \$57,594.00 for the purchase and delivery of two 2008 Ford F250 4x4 diesel pickup trucks for the Parks & Facilities Division of the Department of Public Works. 3) Authorize the Public Work Director to prepare, process, and execute applicable purchase documents with said dealership on behalf of Mono County. (4) Provide any desired direction to staff.
Fiscal Impact: Estimated to be \$55,000.
Low Bid: Birch Ford \$28,497.00/ea.
(**Hunt/Reid 5-0**)

3:10 p.m. Supervisors Farnetti and Hunt absent.

Marshall Rudolph addressed the Board: We need to schedule a possible Special Board Meeting in the near future.

Meeting adjourned @ 3:28 p.m. to and reconvene in regular session of February 6, 2007, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse Bridgeport, California.

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